

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

SEA STAR LINE, LLC,
a limited liability company,) Civil Action No. 05-CV-245-JJF
Plaintiff,)
-vs-)
EMERALD EQUIPMENT LEASING, INC.,)
a corporation,)
Defendant,)
-vs-)
SEA STAR LINE, LLC,)
Counter-Defendant.)

**APPENDIX TO SEA STAR LINE, LLC'S OPENING BRIEF IN SUPPORT OF
MOTION FOR PARTIAL SUMMARY JUDGMENT**

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Attorneys for Sea Star Line LLC

June 10, 2008

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DISTRICT OF DELAWARE**

SEA STAR LINE, LLC, a limited liability company,)	Civil Action No. 05-CV-245-JJF
Plaintiff,)	
-VS-)	
EMERALD EQUIPMENT LEASING, INC., a corporation,)	
Defendant,)	
-VS-)	
SEA STAR LINE, LLC,)	
Counter-Defendant.)	

AFFIDAVIT OF KATHLEEN M. MILLER

STATE OF DELAWARE)	
)	ss.
COUNTY OF NEW CASTLE)	

KATHLEEN M. MILLER, being duly sworn, states:

1. I am a member of the Delaware Bar and counsel for Sea Star Line, LLC ("Sea Star") in this action.
2. In connection with Sea Star's Motion for Partial Summary Judgment, a true and correct copy of the following documents are attached.

Page(s)

1. Letter from Thomas J. Holt to Robert Leetch (Dated April 11, 2002)	A-1 to A-3
2. Second Motion of MBC Leasing Corp. for Relief from the Automatic Stay (Dated April 19, 2002)	A-4 to A-17

3. Notice of Maritime Liens Asserted by E.T. Heinsen C Por A and Naves Y Terminales, S.A.
(Dated April 25, 2002) A-18 to A-20
4. Portion of transcript of Omnibus Motion Hearings before Honorable Mary F. Walrath United States Judge
(Dated April 26, 2002) A-21 to A-82
5. Order Authorizing Sale of the NPR Assets Free and Clear of All Liens, Claims and Encumbrances
(Dated April 26, 2002) A-83 to A-94
6. Emails between Andrew Rooks to Loraine T. Robins
(Dated May 13, 2002) A-95 to A-96
7. Letter from Thomas J. Holt, Sr. to Phil Bates, enclosing copy of Scott H. Krieger's June 10, 2002 letter
(Dated June 11, 2002) A-97 to A-98
8. Independent Contractor Agreement between MBC Leasing Corp. and Greenwich Terminals, LLC
(Dated June 30, 2002) A-99 to A-107
9. Debtor NPR Inc.'s Responses, Objections and Answers to MBC Leasing Corp.'s Interrogatories
(Dated July 9, 2002) A-108 to A-126
10. Email from Andrew Rooks to Loraine T. Robins
(Dated July 12, 2002) A-127
11. Letter from Scott H. Krieger to Phil Bates
(Dated July 19, 2002) A-128

12. Order Terminating the Automatic Stay as to MBC Leasing Corp. and Certain Assets of the Debtors
(Dated July 22, 2002) A-129 to A-130
13. Order Granting Motion of United States Trustee to Convert the Cases of all Debtors other than Dockside Refrigerated Warehouse, Inc. and Emerald Equipment Leasing, Inc. to Cases Under Chapter 7 of the Bankruptcy Code
(Dated July 25, 2002) A-131 to A-132
14. Equipment Rental Agreement between Emerald Equipment Leasing and Sea Star Line LLC
(Dated as of July 31, 2002) A-133 to A-143
15. Sea Star LLC Self Billing Report
(Dated July 31, 2002) A-143 to A-167
16. Space Allocation Agreement between Jacksonville Port Authority and Greenwich Terminals LLC
(Dated August 1, 2002) A-168 to A-172
17. Indemnity Agreement between MBC Leasing Corp. and Sea Star Line, LLC
(Dated September 28, 2002) A-173 to A-181
18. Email from Barbara Davis to Arthur Davis, Andrew Rooks, Philip Bates
(Dated October 1, 2002) A-182 to A-185
19. Email from Andrew Rooks to Arthur Davis re: Emerald Equipment
(Dated October 1, 2002) A-186
20. Email from Andrew Rooks to Arthur Davis re: Emerald Equipment
(Dated October 2, 2002) A-187 to A-188
21. Letter from Sea Star Line, LLC to MBC
(Dated October 4, 2002) A-189 to A-217
22. Email from Barbara Davis to Arthur Davis, Andrew Rooks re: Emerald Equipment
(Dated November 8, 2002) A-218 to A-220
23. Email from Arthur Davis to Andrew Rooks
(Dated December 16, 2002) A-221 to A-222

24. Motion of MBC Leasing Corp. for Allowance and Payment of Administrative Priority Claims Pursuant to 11 U.S.C. §§ 365(d)(10), 503(b) and 507(a)(1)
(Dated January 20, 2003) A-223 to A-239

25. Greenwich Terminals LLC check written to Martin McDonald in the amount of \$4,8000.00
(Dated January 29, 2003) A-240 to A-241

26. Email from Arthur Davis to S. Jackson, Andrew Rooks
(Dated January 29, 2003) A-242 to A-244

27. Email from Arthur Davis to Andrew Rooks, Scott Krieger
(Dated March 5, 2003) A-245 to A-246

28. Email from Arthur Davis to Andrew Rooks
(Dated March 5, 2003) A-247 to A-248

29. Email from Andrew Rooks to Arthur Davis
(Dated March 6, 2003) A-249

30. Greenwich Terminals LLC invoice number 03707655
(Dated March 6, 2003) A-250 to A-265

31. Email from Andrew Rooks to Loraine T. Robin, Andrew Davis, Scott Krieger
(Dated March 19, 2003) A-266 to A-267

32. Order Approving Joint Motion of Chapter 7 Trustee, Dockside Refrigerated Warehouse, Inc. And Emerald Equipment Leasing, Inc. to Sever Joint Administration of the Dockside and Emerald Cases from the Converted Chapter 7 Cases and for a Delineation of Separate Claims Dockets for the Chapter 7 and Chapter 11 Cases
(Dated May 23, 2003) A-268 to A-270

33. Letter from Andrew Rooks to Arthur Davis
(Dated July 9, 2003) A-271 to A-274

34. Email from Arthur B. Davis to Scott Krieger re: invoices
(Dated August 11, 2003) A-275 to A-276

35. Email from Arthur Davis to Andrew Rooks, Thomas J. Holt, Lorraine T. Robins
(Dated September 16, 2003) A-277

36. Fax cover page from Scott Krieger to Arthur B. Davis
(Dated September 24, 2003) A-278

37. Letter from Scott H. Krieger to Thomas J. Holt, Jr.
(Dated October 30, 2003) A-279

38. Loan Sale and Assignment Agreement between MBC Leasing corp.
and Storage Transfer LLC
(Dated November 1, 2003) A-280 to A-294

39. Email from Andrew Rooks to Arthur B. Davis
(Dated November 26, 2003) A-295

40. Email from Arthur Davis to Andrew Rooks
(Dated December 10, 2003) A-296

41. Bill of Landings
(Dated December 16, 2003) A-297 to A-310

42. Sea Star LLC Self Billing Report
(Dated December 31, 2003) A-311 to A-312

43. Hand written note by Arthur B. David to Arturo Manvel
(Dated January 14, 2004) A-313

44. Letter from Gary M. Schildhorn to Lorraine T. Robins
(Dated February 25, 2004) A-314 to A-315

45. Sea Star Complaint
(Dated March 11, 2004) A-316 to A-329

46. Bill of Sale between Storage Transfer LLC and Emerald Equipment Leasing Inc.
(Dated April 16, 2004) A-330 to A-343

47. Hand written note by Arthur B. David to Arturo Manvel
(Dated May 11, 2004) A-344

48. Email from Arthur B. Davis to Andrew Rooks
(Dated August 11, 2004) A-345

49. Email from Arthur B. Davis to Andrew Rooks
(Dates August 19, 2004) A-346

50. Deposition of Emerald Equipment Leasing, Inc. (by Arthur B. Davis)
(Dated December 8, 2004) A-347 to A-614

51. Deposition of Thomas J. Holt, Sr.
(Dated January 25, 2005) A-615 to A-778

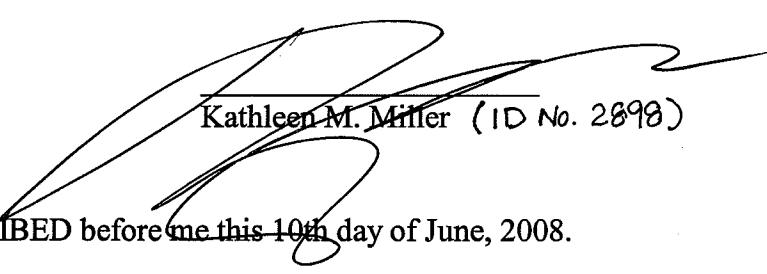
52. Deposition of Lorraine T. Robins
(Dated January 26, 2005) A-779 to A-951

53. Order Approving the Stipulation Between Sea Star Line, LLC
and the Debtor Regarding Disposition of Certain Equipment
(Dated September 26, 2005) A-952 to A-962

54. Letter from Gary M. Schildhorn to Lorraine T. Robins
(August 15, 2007) A-963 to A-964

55. Deposition of Storage Transfer LLC (by Lorraine T. Robins)
(Dated January 25, 2008) A-965 to A-986

56. Deposition of Emerald Equipment Leasing, Inc. (by Thomas J. Holt, Sr.)
(Dated February 12, 2008) A-987 to A-1017



Kathleen M. Miller (ID No. 2898)

SWORN TO AND SUBSCRIBED before me this 10th day of June, 2008.



Katharine Denney
Notary Public

KATHARINE MARY DENNEY
NOTARY PUBLIC
STATE OF DELAWARE
My commission expires Jan. 18, 2012